

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

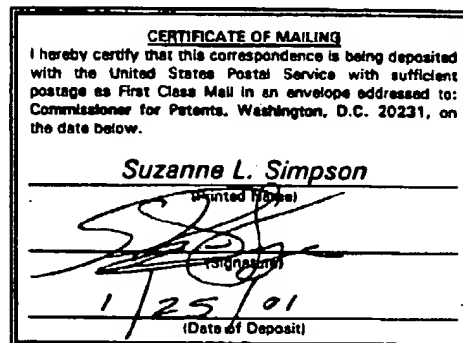
**Applicant:** KENNETH F. BUECHLER  
**Title:** DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

**Appl. No.:** 09/613,650

**Filing Date:** 07/10/2000

**Examiner:** TBA

**Art Unit:** 1641



**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

In compliance with the Applicants' duty under 37 CFR 1.97-98, the following information is brought to the attention of the Examiner. Copies of the items listed on the attached Form PTO-1449 were cited and/or provided in the parent application number 09/071,817 filed May 1, 1998.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicants shall not be construed as admission that any such patent, publication, or other information referred to therein is material or considered to be material (37CFR1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designed by Applicant as such.

The filing of this information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

Payment in the amount of \$130.00 is herewith enclosed to cover the required fee.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

1/25/01

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By




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Respectfully submitted,

FOLEY & LARDNER

Dated: 1/25/01

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FORM PTO-1449

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.  
030691.0011.CIP2SERIAL NO.  
09/613,650APPLICANT:  
Kenneth F. BuechlerFILING DATE:  
July 10, 2000GROUP:  
1641
 31048 U.S. PTO  
 09/605653  
 03/13/01

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
✓	AA	4,233,029	11/11/80	Columbus	422	58	
	AB	4,426,451	01/17/84	Columbus	436	518	01/28/81
	AD	4,435,504	03/06/84	Zuk, et al.	435	7	07/15/82
	AE	4,727,019	02/23/88	Valkirs, et al.			05/10/85
	AF	4,756,828	07/12/88	Litman, et al.	435	7	4/12/84
	AG	4,757,004	07/12/88	Houts, et al.	435	7	03/16/84
	AH	4,857,453	08/15/89	Ullman, et al.	435	7	04/07/87
	AI	4,877,586	10/31/89	Devaney, Jr. et al.			07/27/88
	AJ	4,879,215	11/07/89	Weng, et al.	435	7	
	AK	4,883,688	11/28/89	Houts, et al.	427	285	07/05/88
	AL	4,906,439	03/06/90	Grenner	422	56	
	AM	4,916,056	04/10/90	Brown, III et al.	435	7	03/28/88
	AN	4,945,205	07/31/90	Litman, et al.	219	121	07/05/88
	AO	4,960,691	10/02/90	Gordon, et al.	435	6	09/29/86
	AP	4,963,498	10/16/90	Hillman, et al.	436	69	01/15/88
	AQ	5,006,309	04/09/91	Khalil et al.	422	56	04/22/88
	AR	5,023,054	06/91	Sato, et al.	422	82.09	11/09/89
	AS	5,028,535	07/02/91	Buechler, et al.	435	7.1	01/10/89
✓	AT	5,051,237	09/24/91	Grenner et al.	422	56	06/23/88

EXAMINER:

Alexander

DATE CONSIDERED:

2/3/04

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 030691.0011.CIP2	<b>SERIAL NO.</b> 09/613,650
	<b>APPLICANT:</b> Kenneth F. Buechler	
	<b>FILING DATE:</b> July 10 2000	<b>GROUP:</b> 1641

↓	AU	5,087,556	02/92	Ertinghausen	422	56	05/17/89
	AV	5,089,391	02/18/92	Buechler, et al.	435	7.1	01/10/90
	AW	5,137,808	08/92	Ullman, et al.	422	56	07/31/89
	AX	5,458,852	10/17/95	Buechler	422	58	05/21/92
	AY	5,885,527	3/23/99	Buechler	422	58	5/23/95
↓	AZ	6,019,944	02/01/00	Buechler	422	58	05/23/95

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	BA	0212314	03.04.87	EPO (Allen, et al.)	3	00		
	BB	0348006	27.12.89	EPO (Greener, et al.)	3	00		
	BC	0418765	21.03.91	EPO (Vonk)	33	543		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
↓	BD	Cambridge Dictionary of Science and Technology, Walker, editor, 131 (1988) (Reprinted 1990) ✓
	BE	Dill, "Dominant Forces in Protein Folding", <u>BIOCHEMISTRY</u> 29(31): 7133 (1990)
	BF	Frens, "Controlled Nucleation for the Regulation of the Particle Size in Monodisperse Gold Suspensions," <u>Nature Physical Science</u> 241:20-22 (1973)
	BG	Laibinis, et al., "w-Terminated Alkanethiolate Monolayers on Surfaces of Copper, Silver, and Gold Have Similar Wettabilities" <u>J. AM. CHEM. SOC.</u> , 1992:114 (1990-1995)
	BH	Lou, et al., "One-Step Competitive Immunochromatographic Assay for Semiquantitative Determination of Lipoprotein(a) in Plasma" <u>CLINICAL CHEMISTRY</u> , 39(4) 619-624 (1993)
↓	BI	Myer, D., Surfaces, Interfaces, and Colloids: Principles and Applications, 94-99 (1991) ✓

<b>EXAMINER:</b> <i>Alexander</i>	<b>DATE CONSIDERED:</b> 2/7/04
<b>EXAMINER:</b> Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	



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Substitute for form 1449B/F TO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>				Complete If Known	
(use as many sheets as necessary)				<b>Application Number</b>	09/805,653
(use as many sheets as necessary)				<b>Filing Date</b>	03/13/2001
(use as many sheets as necessary)				<b>First Named Inventor</b>	Kenneth F. Buehler
(use as many sheets as necessary)				<b>Group Art Unit</b>	1641
(use as many sheets as necessary)				<b>Examiner Name</b>	Lyle Alexander
(use as many sheets as necessary)				<b>Attorney Docket Number</b>	071949-1314
Sheet	2	of	2		

[illegible]

Examiner Signature	<i>Alexander</i>	Date Considered	2/1/04
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete If Known</b>	
Sheet 1 of 2			Application Number	09/805,653
			Filing Date	03/13/2001
			First Named Inventor	Kenneth F. Buechler
			Group Art Unit	1641
			Examiner Name	Lyle Alexander
			Attorney Docket Number	071949-1314

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	3,966,897		Renn et al.	06-29-1976	
	A2	4,591,570		Chang	05-27-1986	
	A3	4,695,554		O'Connell et al.	09-22-1987	
	A4	4,829,010		Chang	05-09-1989	
	A5	4,859,613		Lawrence	08-22-1989	
	A6	4,911,782		Brown	03-27-1990	
	A7	4,978,503		Shanks et al.	12-18-1990	
	A8	5,155,212		Dubler et al.	10-13-1992	
	A9	5,202,268		Kuhn et al.	04-13-1993	
	A10	5,486,335		Wilding et al.	01-23-1996	
	A11	5,512,659		Ullman et al.	04-30-1996	
	A12	5,766,961		Pawiak et al.	06-16-1998	
	A13	5,922,615		Nowakowski et al.	07-13-1999	
	A14	6,156,270		Buechler	12-05-2000	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A15	EP	0 695 941		Affymetrix, Inc.			
	A16	WO	94/09366		Abbott Laboratories	04-28-1994		
	A17	WO	97/00442		The University of Washington	01-03-1997		
	A18	WO	97/02357		Affymetrix Inc.	01-23-1997		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
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Examiner Signature	<i>Alexander</i>	Date Considered	2/1/04
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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